

BEFORE THE
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION BENCH SESSION

Chicago, Illinois
January 25, 2012

Met, pursuant to notice, at 10:30 a.m.

BEFORE :

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. SHERMAN J. ELLIOTT, Commissioner
(via videoconference)

MR. JOHN T. COLGAN, Acting Commissioner
(via videoconference)

SULLIVAN REPORTING COMPANY, by
Auhdikiam Carney, CSR
License No. 084-004658

1 CHAIRMAN SCOTT: Pursuant to the provisions of
2 the Illinois Open Meetings Act, I now convene a
3 regularly scheduled Bench Session of the Illinois
4 Commerce Commission. With me in Chicago are
5 Commissions Ford and O'Connell-Diaz, and in
6 Springfield are Commissioners Elliott and Acting
7 Commissioner Colgan. I am Chairman Scott.

8 We have a quorum.

9 Starting with the Transportation
10 agenda, we'll begin with the approval of minutes from
11 prior Commission meetings. Up first are minutes from
12 our December 21st Bench Session. I understand
13 amendments have been forwarded.

14 Is there a motion to amend the
15 minutes?

16 COMMISSIONER O'CONNELL-DIAZ: So moved.

17 CHAIRMAN SCOTT: Is there a second?

18 COMMISSIONER FORD: Second.

19 CHAIRMAN SCOTT: Its been moved and seconded.

20 All in favor say "aye."

21 (Chorus of ayes.)

22 Any opposed?

1 (No response.)

2 The vote is 5-0 and the amendments to

3 the December 21st minutes are adopted.

4 Is there a motion to approve the

5 minutes as amended?

6 COMMISSIONER FORD: So moved.

7 CHAIRMAN SCOTT: Is there a second.

8 COMMISSIONER O'CONNELL-DIAZ: Second.

9 CHAIRMAN SCOTT: All in favor say "aye."

10 (Chorus of ayes.)

11 Any opposed?

12 (No response.)

13 The vote is 5-0 and the December 21st

14 minutes as amended are approved.

15 The next up are minutes from our

16 January 5th session.

17 Is there a motion to approve the

18 minutes?

19 COMMISSIONER O'CONNELL-DIAZ: So moved.

20 CHAIRMAN SCOTT: Is there a second?

21 COMMISSIONER FORD: Second.

22 CHAIRMAN SCOTT: It's been moved and seconded.

1 All in favor say "aye."
2 (Chorus of ayes.)
3 Any opposed?
4 (No response.)
5 The vote is 5-0 and the January 5th
6 minutes are approved.
7 On to the Railroad section.
8 Items R-1 and RR-2 can be taken
9 together. These items concern Stipulated Agreements
10 regarding public safety improvements at highway-rail
11 grade crossings in Alexander County and Cook County.
12 In each case Staff recommends entry of an Order
13 approving the agreement.
14 Is there any discussion?
15 (No response.)
16 Is there a motion to enter the Orders?
17 COMMISSIONER O'CONNELL-DIAZ: So moved.
18 CHAIRMAN SCOTT: Is there a second?
19 COMMISSIONER FORD: Second.
20 All in favor say "aye."
21 (Chorus of ayes.)
22 Any opposed?

1 (No response.)

2 The vote is 5-0 and the Orders are

3 entered. We will use this 5-0 vote for the remainder

4 of the Transportation agenda unless otherwise noted.

5 Items RR-3 and RR-4 can be taken

6 together. These items are petitions for the

7 authorization of track installation projects in

8 Whiteside County and Rock Island County. In each

9 case the ALJ Kirkland-Montague recommends entry of an

10 Order granting the petition.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the Orders are entered.

16 On to Motor Carriers.

17 Items MC 1 through MC 4 can be taken

18 together. These items concern Stipulated Settlement

19 Agreements over alleged violations of the Illinois

20 Commercial Transportation Law. In each case our

21 transportation counsel recommends entry of an Order

22 approving the Settlement Agreement.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Orders are entered.

6 Item MC-5 is Charles Lucker's

7 application for renewal of his operator's permit

8 under the Illinois Commercial Relocation of

9 Trespassing Vehicle's Law. ALJ Kirkland-Montague

10 recommends entry of an Order granting the

11 application.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the Order is entered.

17 Item MC-6 is Midnight Service's

18 application for renewal for its commercial relocation

19 license. In light of noncompliance with Commission

20 regulations and statutory requirements, our

21 transportation counsel recommends denying the renewal

22 application and entering an Order to set the renewal

1 application for hearing as provided for in Section
2 18a-400 of the Illinois Commercial Relocation and
3 Trespassing Vehicles Law.

4 Is there any discussion?

5 (No response.)

6 Any objections?

7 (No response.)

8 Hearing none, the renewal application
9 is denied and will be set for a hearing.

10 Item MC-7 concerns Rendered Services'
11 motion for rehearing concerning violations in
12 connection with an administrative citation issued in
13 2011. ALJ Kirkland-Montague recommends that the
14 Company's motion for rehearing be denied.

15 Is there any discussion?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the rehearing request is
20 denied.

21 Mr. Matrisch, is there any further
22 transportation business to come before the Commission

1 today?

2 MR. MATRISCH: Not this morning, Mr. Chairman.

3 Thank you.

4 CHAIRMAN SCOTT: Thank you, sir.

5 Hearing none, that concludes today's
6 Transportation agenda.

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